

**TENTATIVE RULINGS for CIVIL LAW and MOTION**  
**June 18, 2009**

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at [www.yolo.courts.ca.gov](http://www.yolo.courts.ca.gov). If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fifteen: (530) 406-6942  
Department Fourteen: (530) 406-6941

## TENTATIVE RULING

**CASE: Chase Bank USA, N.A. v. Heath  
Case No. CV G 08-2577**

**Hearing Date:**           **June 18, 2009**                                 **Department Fifteen**                                 **9:00 a.m.**

Mike Heath's motion to set aside the judgment is **GRANTED**. (Code Civ. Proc., § 473, subd. (b).)

Mike Heath and counsel for the plaintiff are **DIRECTED TO APPEAR** so that the Court may set a hearing date for the plaintiff's motion for judgment on the pleadings and a briefing schedule. The Court will not consider late-filed papers.

A request for hearing is not required.

## TENTATIVE RULING

**Case: Windsor-Borges v. Pacific Gas and Electric Company, Inc.**  
**Case No. CV CV 08-2515**

**Hearing Date:            June 18, 2009    Department Fourteen    9:00 a.m.**

The motion to strike based on Evidence Code section 1101, subdivision (a) is **DENIED**. (Evid. Code, § 1101, subd. (b); *Haft v. Lone Palm Hotel* (1970) 3 Cal.3d 756, 778; *Sprague v. Equifax, Inc.* (1985) 166 Cal.App.3d 1012, 1032 -1034.)

The motion to strike allegations related to the plaintiffs' request for exemplary damages is **DENIED**. The first amended complaint alleges sufficient facts to support the conclusory allegations of willful and wanton conduct. (First amended complaint ¶¶ 4-6, 9-10, 15, 21, 27 and 31.)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.